

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

L-3 COMMUNICATIONS SECURITY AND
DETECTION SYSTEMS CORPORATION
DELAWARE,

Plaintiff,

v.

AMERICAN SCIENCE & ENGINEERING,
INC.,

Defendant.

CIVIL ACTION NO. 04-10339-RWZ

L-3'S MOTION FOR SUMMARY JUDGMENT

Plaintiff, L-3 Communications Security and Detection Systems Corporation Delaware ("L-3"), moves for summary judgment that the remaining claims of the patents-in-suit are invalid. The Mobile CargoSearch System (which the Court held to be prior art), when combined with any one of three prior art references, renders the remaining claims invalid as obvious under 35 U.S.C. § 103. The Court, therefore, should enter judgment for L-3 on the entire case.

Respectfully submitted,

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS, INC.,

By its attorneys,

November 16, 2005

/s/ James J. Foster

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LOCAL RULE 7.1 CERTIFICATE

I hereby certify that counsel for the parties conferred in good faith prior to the filing of this motion, but were unable to resolve the issue raised herein.

/s/ Robert M. Abrahamsen
Robert M. Abrahamsen